

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

The Office Action and prior art relied upon have been carefully considered. In an effort to expedite the prosecution claim 1 has been amended to clarify the structure being claimed and the specification has been amended to more clearly describe a feature of the discussed prior art. The abstract has also been changed to avoid informalities of language.

Page 1, lines 30-31 dealing with a description of the prior art, and a similar discussion on page 5, lines 18-20 have been clarified so that the variation in the dimension of the intervals separating perforations is more precisely stated. Support for the change is found in Fig 2 of the drawings wherein the intervals separating the perforations of the uptake device 13 present dimensions larger (and not smaller) at the final end of the flotation zone than at the initial end. Accordingly no new matter is being introduced.

Claim 1 was amended to clarify that the uptake device 13 is situated in a lower part of the cell. This characteristic finds support in the specification, on page 5, lines 15 and 16 as well as in the figures. Therefore, no new matter was introduced.

Claims 1-8 were rejected under 35 USC 102(b) as anticipated by Suutarinen (US 4,957,633). Applicant is attaching the corresponding European patent EP 0 659 690 cited in the present specification on page 1, lines 15 *et seq.*

According to the Examiner Fig 3 of the reference discloses a flotation tank with lower plates defining a perforated uptake device and upper plates defining a capture module. However, the figure doesn't show deflectors of reduced height corresponding to the deflectors 19 of Fig. 2. The description in Suutarinen only mentions in column 5, lines 3-6 that the device 19 is an aid to flocculation and to equalize flow.

Furthermore, the tank 40 for clarification by flotation is associated with tank 11 that accomplishes flocculation/clarification by flotation.

In contrast, in the present invention treated water is recovered by a perforated uptake device 13 located in the lower part of the cell. With the invention the treated water is taken up in the lower part of the flotation cell 10 without having to pass by another cell.

Finally the reference doesn't anticipate the invention because:

The lower deflectors 19 of Fig 3 are not a perforated uptake device in accordance with the invention (device 13); and

The upper deflectors of the reference aren't capture modules resembling modules 14, 15 of the invention whose lower parts are situated at a reduced distance from the perforated uptake device, so as to avoid all perturbation of uniform distribution by the perforated uptake device.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185, under Order No. 21029-00306-US1 from which the undersigned is authorized to draw.

Dated: April 1, 2008

Respectfully submitted,

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